

U.S. Department of Energy

State Plan – On-File Information

Grant Number: R340478. State: VA Program Year: 2006

III.1 Eligible Population

III.1.1 General Description

Definition of income

In accordance with Section 440.3(1), (2) and (3), Virginia uses the LIHEAP definition of "low-income" (currently 130%) as long as the definition is at least 125% of OMB's poverty level. In addition, households receiving cash payments under Titles IV and XVI of the Social Security Act are eligible for DOE Weatherization Assistance Program services.

Procedures to determine that units weatherized have eligibility documentation

Income data for the 12 months preceding the date of application is used. The State provides subgrantees with an "application for services/eligibility certification form" containing information that must be obtained from prospective program participants before a decision can be made on their eligibility for weatherization assistance. Individual subgrantees may expand or reformat this application (for example to accommodate other types of assistance available through the subgrantee or to capture additional demographic information required by other funding sources); however, a subgrantee must include all the items on the application form provided by the State. All applicants are required to identify the amount and source of income for their household. In addition, they have to indicate whether they rent or own their home. All applicants are required to sign their application, testifying to the correctness of their statements. Falsification of an application is subject to prosecution.

Definition of "Children"

Children are dependents under the age of 18 years who are living in the household.

Low-Income Members of an Indian Tribe

Low-income members of an Indian tribe will receive benefits equivalent to the assistance provided to other low-income persons within the State.

III.1.2 Selection of Areas to Be Served

Virginia provides services statewide. Weatherization subgrantees have been selected in accordance with Section 440.15(a)(3), "preference is given to any CAA or other public or nonprofit entity which has, or is currently administering an effective program."

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As required, factors considered when selecting a subgrantee include, at a minimum, the extent to which the subgrantee has achieved, or is achieving, weatherization goals in a timely fashion and the quality of work performed by the subgrantee. The selection process emphasizes the regulation's requirement for program effectiveness. The State evaluates the ability of each current subgrantee to achieve goals in a timely fashion as demonstrated in the current program and the capability of the subgrantee to effectively achieve weatherization goals.

Subgrantees are provided a DOE allocation using a formula that is based on heating degree-days, low-income population, and square miles served. Any additional funds made available by the DOE during the program year are allocated to subgrantees using the same formula allocation. If a subgrantee is unable, for any reason, to expend its total grant allocation, the State reserves the right to recall the unexpended portion of the allocation and reallocate it to other subgrantee(s) in need of funds in order to maintain production and operations. Each subgrantee is required to submit a budget and a proposed production schedule. Subgrantees are encouraged to coordinate with other Federal, State, local, or privately funded programs as required in 440.14, "Minimum program requirements."

III.1.3 Priorities

Subgrantees are required to develop and submit "selection procedures for prioritizing services" to the State. The subgrantee's Board of Directors must approve these procedures. A copy of these policies and procedures are maintained at the state.

Local agencies have flexibility to vary these priorities as necessary according to individual need; however, they must serve elderly and handicapped persons, households containing children (under age 18), single family high-energy users and households with an energy-related crisis. Other considerations may then include situations where there is landlord "participation" and households that can be coordinated with another program(s) in order to enable a more complete job.

III.2 Weatherization Analysis of Effectiveness

III.2.1 Type of Work to Be Done

A complete copy of the Virginia WAP Installation Standards (Installation Standards) has been submitted with previous applications to DOE. These standards will be updated during PY 2007 to reflect current Virginia law regarding contractors. The Installation Standards are specific to the type of structure: single family, site-built, mobile home and multi-family. However, all weatherization work, no matter the type of structure, requires pre and post blower door tests to meet closure targets and not fall below minimum

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ventilation rates, pressure diagnostic tests where possible, and certain pre and post health and safety tests such as flue drafting for combustion appliances, fuel leaks and tests for carbon monoxide in the flue and ambient areas of the home.

The Installation Standards are written, not as a priority list, but, rather, as a "package", and require the following energy conservation measures for single family site built dwellings: Inspect Heating/cooling equipment and repair as necessary (to include duct diagnostics and sealing); Seal major air leaks and bypasses; Insulate exterior sidewalls (using a dense-pack method); Insulate and vent attic areas; Insulate ducts/heating pipes; Insulate domestic water heaters.

Separate Installation Standards have been developed for mobile homes. Again, these protocols are designed as a "package", and require the following energy conservation measures: Inspect heating/cooling equipment and repair as necessary (to include duct diagnostics and sealing); Seal major air leaks; Floor (belly board cavity) insulation; Insulate domestic water heaters.

A Field Guide has been developed and distributed to each subgrantee that provides readily available how-to instructions on the application of weatherization measures. This guide is available to all crewmembers as a reference.

DHCD has approved the replacement of electric water heaters, per DOE notice 00-5. Water heaters may be replaced if the current water heater cannot be safely vented or is otherwise inoperable. As a general rule, fuel switching will not be allowed. Refrigerator replacement, while not common, is allowed on a case-by-case basis.

Multi-family units and shelters offering temporary residence may be weatherized without prior written approval from DHCD if the project application and approval process has been reviewed by DHCD. Subgrantees are encouraged to "pool" resources from other programs so that a more complete job may be achieved. DHCD has drafted multi-family guidelines and a sample application for subgrantees to use as a guideline for developing their internal process.

Subgrantees who are interested in "piloting" new approaches to reducing heat loss are encouraged to develop new standards for these measures and test the measures using the parameters set forth by the National Energy Audit (NEAT). Results of these piloted measures are shared with other subgrantees and the pilot programs are used to train other subgrantees.

III.2.2 Energy Audit Procedures

DOE approved DHCD's request to utilize the Virginia Weatherization Assistance Program Installation Standards in conjunction with the National Energy Audit (NEAT) in

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PY 2002. A site-specific inspection is required for every weatherization job, based on the Virginia WAP Installation Standards and in compliance with the laws of Virginia. Subgrantee staff is required to use the Installation Standards, as support by NEAT, for determining the most cost-effective measures to be performed. During the previous program year, DHCD submitted the Virginia Installations to DOE for re-approval, which has been granted.

All Virginia subgrantees have been trained in the use of NEAT. The upgraded WINDOWS version of NEAT has been distributed to all subgrantees and each agency is expected to use the new version. Additional training is ongoing. Changes in the NEAT audit and subgrantee staff turnover have required, and will continue to require, additional training in the use of NEAT. MHEA training is also available and will be recommended for subgrantees once the new version is released.

A NEAT audit must be submitted to DHCD if a subgrantee, for whatever reason, wants to deviate from the Installation Standards. Additionally, DHCD requires that a load calculation be performed whenever a heating system is installed (to include a replacement system). Most subgrantees used the load calculation capability in NEAT to complete this requirement.

In PY2005, in response to subgrantee request, DHCD asked DOE for approval to use REM/Design as an optional energy audit tool. This request was not approved.

III.2.3 Final Inspection

Subgrantees are required to perform a final inspection of each dwelling unit before the job can be reported to DHCD as a completion. The final inspection must be signed and dated by the individual(s) trained and authorized to complete these inspections. The subgrantee must submit a completed job report to DHCD for desk review in order to receive payment for the job. DHCD may require the subgrantee to submit a copy of the signed inspection checklist with the job report.

In most cases the inspector is someone other than a member of the crew who completed the work. Where this separation of responsibility is not possible because of the limited number of staff, a sampling of the completions is inspected a second time by someone such as the Weatherization Coordinator or some other individual who has a sufficient understanding of the requirements of the program.

In situations where a subcontractor is used to perform a portion or all of the weatherization work, DHCD holds the subgrantee contractually responsible for inspecting and certifying that the job has been completed to the Installation Standards.

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DHCD staff also inspects completed work during regular on-site visits to subgrantees. Weatherized homes are inspected to verify compliance with the Installation Standards. A minimum of 5 jobs or 10% of the total number of completed and work-in-process jobs, whichever is less, is inspected. Typically, DHCD staff selects the jobs inspected either at random or during the course of a desk review.

III.2.4 Assessment of Effectiveness

July-June is the normal period of performance in the weatherization contract between DHCD and the subgrantee.

Occasionally, a subgrantee will request, and receive approval, for an extension to the performance period in the contract. Subgrantee monitoring is ongoing and tied to the performance period in the contract between the subgrantee and DHCD. DHCD analysis of individual subgrantees and whether or not continued funding is warranted includes such considerations as: onsite field and financial/administrative monitoring visits and demonstrated willingness and ability to produce completed units while coordinating with and utilizing multiple funding sources.

Program production and expenditure rates are tracked on an on-going basis at the state level. This information is shared with the network of subgrantees, at a minimum, during each of the semi-annual statewide weatherization "interchanges" held by DHCD. Similar information is provided as part of the "Summary Analysis" prepared with each payment. Future training, technical assistance, and monitoring needs are determined based on these analyses and the results of the monitoring and the financial/administrative monitoring.

III.3 Health and Safety

The complete "Virginia Weatherization Assistance Program Health and Safety Procedures" is an integral part of the Virginia Weatherization Installation Standards. These Procedures were submitted with previous applications to DOE. The Installation Standards require that subgrantee field staff inspect and test both before weatherization work is performed and after work is completed. In PY2005, in accordance with Virginia law, subgrantees are required to work with a licensed HVAC contractor for any inspection activities that require breaching the integrity of the heating system, unless a subgrantee staff is a licensed journeyman or master HVAC tradesman.

The Procedures, include, among other measures: Blower door testing for minimum ventilation rates (MVR); inspection and testing for unacceptable levels of carbon monoxide in the flue and ambient areas; power supply inspections; inspection for gas leaks; inspection for adequate combustion air for combustion type heating appliances; draft and pressure tests for combustion appliances; inspection of vent systems, to include

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the chimney; inspection for adequate clearance from combustibles; inspection of the condition of safety controls on combustion appliances.

DHCD has modified the Procedures to allow subgrantees to separate costs for health and safety-related measures from basic weatherization service costs. DHCD will budget ten percent (10%) of the funds in the subgrantee contract for Health and Safety expenses plus direct costs for Pollution Occurrence Insurance. This amount will cover expenditures for energy-related Health and Safety measures, lead-safe weatherization practices, procedures, and equipment, and the cost of a blanket pollution occurrence insurance policy. Unused funds will be used as Standard Operations funds. Subgrantees may spend this additional allotment to address specific health and safety issues, including, but not limited to:

- Replacement hot water heater where one is unable to safely vent or is otherwise inoperable. As a general rule, fuel switching will not be allowed.
- Repair of plumbing leaks if leak will cause significant moisture problems.
- Testing and correcting unsafe conditions with combustible appliances.
- Installation of carbon monoxide and smoke detectors.
- Purchasing protective clothing, respirators, masks, gloves, first aid kits, etc...
- Purchasing and maintaining diagnostic tools and tools/equipment necessary for lead-based paint mitigation.
- Cleaning/repair of chimney and flue pipes.
- Pest control.
- Lead-based paint mitigation.
- Pollution occurrence insurance

Grantee Health and Safety

DHCD will utilize T/TA funds and administrative funds to purchase equipment and materials that will help insure the safety of its staff, including protective suits, respirators, and other equipment necessary to conduct field monitoring visits.

Crew/Contractor Safety

DHCD will continue to provide training services for subgrantees through qualified training organizations, and crew/contractor staff safety will continue to be an important part of these trainings.

DHCD expects subgrantees to adhere to all state and OSHA workplace and building requirements. To help insure adherence, the Field Monitor will visit each subgrantee at least once during the program year. During this visit, the Field Monitor will inspect Weatherization equipment and make recommendations as necessary. The Monitor will

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also visit a house that is in the process of being weatherized, during which time they may observe the safety procedures that are being followed. The Monitor will also observe the estimation and inspection process, providing another opportunity to insure that proper safety protocols and Virginia regulations regarding HVAC contractors are being followed. Subgrantees are required to maintain Liability and Worker's Compensation insurance.

Client Safety

At the beginning of the weatherization process, a series of tests—discussed above and in the accompanying Installation Standards—assist in identifying any health risks.

Subgrantees must follow lead-safe weatherization procedures to provide for client safety. Refresher lead safe work practices' training will take place in PY 2006. Agencies will be required to ensure that all workers are trained and that their training is documented in personnel files. This training not only provides protection for the client, but it also helps assure the continued safety of the crew.

Potential Hazard Considerations

DHCD will continue to work with subgrantees to further refine health and safety procedures to best protect all stakeholders. As part of the Weatherization program, subgrantees may respond to the following conditions:

Biologicals – harsh odors and unsanitary conditions. Subgrantees are prohibited from using weatherization funds to remediate mold and mold hazards. They are expected to evaluate homes individually to determine if these issues can be addressed. Clients will be requested to mediate problems, particularly those relating to mold and other unsanitary conditions (failed sewage systems, etc). In cases where the client cannot resolve the problem, the subgrantee may use resources other than weatherization resources to assist. This can include clean up of waste, including sewage, pest control, minor mold cleanup, and so forth. The home will not be weatherized until the house is a safe work environment.

DOE has developed a training and awareness curriculum that provides a basic tutorial of the types of mold, the cause of mold, and what is know about effective remdiation methods. This curriculum is available as PowerPoint and is being used to train and orient Virginia program participants. The VWAP will not use DOE weatherization funds to remediate mold. Weatherization activities may not proceed until the client resolves the problem.

Combustion Appliances, Combustible Gases, Fire Hazards – Each subgrantee is required to follow testing procedures that will insure that combustible appliances are operating in

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a safe manner. As previously noted, all testing procedures must comply with Virginia law regulating the activity of licensed HVAC contractors. Upon the discovery of a problem with a combustible appliance, the subgrantee must act immediately to either correct the problem or notify the client of the issue. Weatherization funds can be used to address problems associated with combustible appliances, including the replacement or repair of the heating system, chimney relining, and proper venting of appliances. DOE funds can be used in conjunction with LIHEAP funds to address these issues. Any work or activities that breach the integrity of the system must be performed by a licensed HVAC contractor. Under LIHEAP regulations in Virginia, a capital-intensive category has been established to provide additional funds for these repairs. The LIHEAP capital-intensive category provides an average of \$3,200 per job, and can be used in situations when at least \$200 in material costs is used to improve the efficiency of the heating system. Additionally, subgrantees are encouraged to leverage other non-Weatherization funds, in particular, Crisis funds, to help address heating system costs. Testing procedures are further detailed in the accompanying Virginia Installation Standards.

Existing Client Health Problems – Subgrantees will ask potential clients if there are existing health problems that may impact the services that can be provided. These problems will be documented and care will be taken to avoid the exacerbation of the problem.

Indoor Air Quality – Subgrantees are expected to be aware of airborne irritants that may present safety issues for the crew and client. As discussed previously, Virginia has developed testing procedures that will help identify IAQ problems.

Generally, asbestos is not to be addressed through the Weatherization program and can serve as a reason for the deferral of services. In cases where asbestos siding is present, subgrantees are instructed to defer services unless the siding can be replaced using other, non-Weatherization funds. Weatherization services can also be deferred in instances where asbestos has been used to wrap heating system pipes. Only with prior DHCD approval may a subgrantee use Weatherization funds to remove or encapsulate asbestos.

In cases where a radon problem has been identified, a subgrantee may elect to defer Weatherization services. Weatherization funds will not be permitted to address radon.

Building Structure – The Installation Standards set forth an inspection process that helps identify potential structural problems. In cases where unsafe conditions exist, the subgrantee may elect to seek other sources of funding to assist in rehabilitation efforts. Incidental repairs, including plumbing repairs and minor structural repairs—such as to the flooring—are eligible under the Weatherization program. When structural issues are substantial, weatherization work may be deferred until the conditions have been improved.

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Electrical Issues – The Installation Standards set forth an inspection process that helps identify potential electrical problems. Serious electrical hazards will be conveyed to the owner. Serious hazards typically cannot be addressed through the Weatherization program and additional resources will be sought to help with costs. When serious hazards cannot be addressed, Weatherization services can be deferred until they are corrected. Minor, incidental repairs can be made through the program.

In households with knob-and-tube wiring, wall cavities should not be insulated. Attics containing knob-and-tube wiring must be rewired and inspected by a licensed electrician prior to insulating.

Refrigerant Issues – Subgrantees are required to follow local environmental laws to insure the proper disposal of refrigerants.

Virginia Lead-Safe Work Practices

Virginia has completed a study of its lead safe weatherization practices. This study identified that clients and crewmembers can be well protected if standard lead safe work practices are utilized. The results of this study now serve as the basis for the revised policy and procedures. These practices apply to homes constructed prior to 1978. The revised and updated policy is listed here.

*Lead-Safe Weatherization
Training, Testing, Liability, and Deferral, Use of Funds*

Lead-based paint dust is a hazard that is likely to exist in older homes. Weatherization work may directly disturb lead-based paint, or create hazardous conditions. Workers must be aware of this hazard and conduct Weatherization activities in a safe manner to avoid exposure or contamination to themselves, their families, or the household occupants. When Weatherization crews disturb surfaces that may have lead-based paint, they must exercise caution to keep any dust that is generated from weatherization activities from becoming a hazard. They do this (safeguard persons from lead-based paint hazards) through a set of safe work protocols hereafter referred to as Lead Safe Weatherization (LSW).

Lead based paint abatement, hazard control, or paint stabilization are not allowable activities for weatherization program funds. Work that occurs during or in conjunction with weatherization that is necessary to prevent the generation of lead-based paint dust and residues is allowable if that work is necessary to effectively complete the installation of energy efficiency measures.

Pursuant to Title X of the Residential Lead-Based Paint Hazard Reduction Act of 1992, all Weatherization sub-grantees shall follow these Lead Safe Weatherization (LSW)

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guidelines when weatherizing pre-1978 homes. LSW must be practiced in a manner that ensures adherence to applicable state and federal regulations.

Personal Exposure Limit Study

In August 2005, the Department of Housing and Community Development (DHCD) worked with an environmental services contractor to complete an air exposure level assessment study to determine if lead dust would pose a hazard for weatherization workers. The study found that:

Airborne lead concentrations were below acceptable limits. This data indicates that employees engaged in this type of weatherization activity at this type of structure are not exposed to airborne lead in excess of OSHA's action limit (30µ per cubic meter) or permissible exposure limit (50µ per cubic meter).

These results indicated that the general protocols that have been in place are adequate. Several recommendations were made of necessary steps to take to ensure safety for both clients and workers. These recommendations have been included in this revised policy. DHCD will continue to evaluate this policy, and may from time-to-time complete additional studies to further review the appropriateness of this approach.

Training

Lead Safe Work Practices (LSWP) training is essential to ensure a safe work environment for all workers, their families, and the weatherization client. DOE Training and Technical Assistance funds may be used for LSWP training.

Each weatherization staff-person or contractor that is directly involved in the installation of weatherization measures must complete one, 8-hour LSWP training course. Re-fresher classes may be completed as needed. Training must be performed by a training provider licensed to provide this training by the Virginia Department of Professional and Occupational Regulations (DPOR). A copy of the completion certificate must be maintained in the employee's personnel file by the weatherization agency.

Licensure in any of the following fields may be held in lieu of Worker Certification: Supervisor, Inspector, or Risk Assessor.

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Property Evaluation and Intake

All weatherization properties must be evaluated for the use of lead protocols. This evaluation will primarily include a visual inspection of the exterior and interior painted surfaces, and a verified assessment of the age of the house. These two primary factors will determine the level of Lead Safe Weatherization that must be practiced on each project. LSW is required when weatherization work will occur on properties that:

- were constructed pre-1978, and
- has not been determined be lead-based paint free, and
- the amount of painted surface to be disturbed exceeds
-
- two square feet per room of interior surface,
-
- or
-
- 20-square feet of exterior surface,
-
- or
-
- 10% of a small component,
-
- or
-
- the amount of paint dust that will be generated will exceed OSHA- defined airborne levels for lead.

Use of Funds

DOE funds may not be used for routine paint testing, abatement, interim controls, or clearance testing, or for the purposes of completing abatement or interim control projects.

DOE funds may be used only upon receipt of written approval from DHCD for paint testing, if that testing is necessary to adequately assess the degree of lead safe work practices that are necessary to complete the installation of weatherization measures.

DOE Health & Safety funds may be used for the purchase of necessary protective clothing, barrier and containment sheeting, or equipment.

DOE Training and Technical Assistance fund s may be used to complete LSWP training.

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Testing

Testing for lead-based paint is not an allowable weatherization expense. Routine testing of every house for lead paint levels before the start of work (testing of painted surfaces to be disturbed and/or risk assessment) and at the end (clearance testing) is a standard practice associated with lead paint hazard control or abatement work and is not an allowable use of DOE Weatherization funds, except as required when weatherization work is being done on HUD homes. Any testing and use of specialized equipment may not exceed the limits set for Health and Safety measures for the project.

The following guidelines are offered to aid your evaluation of the time and cost considerations associated with testing:

- Houses built from 1978 on may be assumed to be free of lead-based paint, without testing.
- In houses built prior to 1930, it is logical to assume the presence of lead-based paint and save the cost of testing.
- In homes built between 1930 and 1978, testing may not be warranted if the amount of paint to be disturbed is small, since it may be cheaper to perform LSW for a small area than to incur the expense of testing. However, where the amount of paint to be disturbed is relatively large, it may be worth the cost of testing, since a negative result would mean that the crews could dispense with having to perform the LSW protocols.

About Clearance Testing - Clearance testing (as required by the HUD Rule) is not a requirement for Weatherization work. As such, clearance testing is not an allowable expenditure of DOE funds. However, under some circumstances clearance testing may be required if you are doing Weatherization work in HUD program housing. In these instances, your first course of action should be to ask the HUD program to fund the additional cost for LSW and clearance testing. If no HUD funds are available, DOE funds may be used for clearance testing since it is a requirement in this instance.

Deferrals (Walk-Away)

Weatherization services may be made available to eligible property owners where the property may contain lead based paint. Each agency should adopt an internal deferral policy that states when it is prudent to defer Weatherization work in homes that have either tested positive for or are assumed to have lead-based painted surfaces.

Weatherization services may be deferred based upon the factors listed below. Service may be deferred only if the property has been determined to contain lead based paint and an evaluation has been made of the following factors:

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1. **Degree to which crew is trained to safely conduct LSW.** Are your work crews trained and prepared to work with lead-based paint? Is the necessary equipment, such as HEPA vacuum cleaners, available? Does the agency's liability insurance cover construction or repair work on homes that could contain lead-based paint?;
2. **Overall condition of the house.** What is the condition of the painted surfaces in the house? (i.e., are they seriously deteriorated, unstable, or determined to be a high-risk);
3. **Extent to which weatherization activities will disturb painted surfaces.** Will specific energy efficiency measures determined by the audit disturb painted surfaces? (i.e., will the disturbance likely generate dust in excess of OSHA minimums): Does the cracked, chipped, or peeling paint on surfaces to be weatherized exceed the de minimis levels listed above?
4. **Cost of doing lead-safe work practices.** Will the LSW costs represent a large portion of the total job cost? Will it exceed your allowable H&S budget (which could be the case if large amounts of lead-based paint surfaces will be disturbed)?

Second, the grantee should then determine, based on consideration of the above factors, whether to:

- Proceed with all the weatherization work, following LSW work practices, or
- Defer all of the weatherization work.

Deferral would mean postponing the work either until the Weatherization agency is prepared to work with lead-based paint, or until another agency has corrected the problem such that weatherization can be safely performed. In cases where extensive LSW would be necessary, agencies are encouraged to arrange with other organizations or other funding sources to perform some of the more costly activities, such as risk assessment or clearance testing. In areas where there are no organizations performing such work, Weatherization agencies may choose to develop their capabilities for lead-based paint hazard control work, but they may not use DOE Weatherization funds for this purpose to do lead hazard control.

Agencies may not defer providing weatherization only because there is lead-based paint in the home; however the capacity to perform lead safe weatherization must be in place.

If the use of Lead Safe Work Practices in weatherization cannot sufficiently minimize or eliminate any hazards associated with weatherizing specific, painted surfaces, then weatherization agencies may defer weatherization of that property until other funding can

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be identified to adequately fund any additional costs such as testing, abatement, interim controls, or clearance.

Virginia Lead-Safe Work Practices

When Lead-Safe Weatherization is Necessary

- 1) If the dwelling was constructed pre-1978, and
- 2) The dwelling has not been determined to be lead-based paint free, and
- 3) The amount of disturbed lead-based painted surface exceeds two square feet per room of interior surface or twenty square feet of exterior surface.
- 4) A visual inspection of the property reveals chipped, cracked or peeling paint at the site(s) where weatherization work must be performed.

Things to Avoid:

- Do not turn leaded paint into leaded dust by dry scraping, sanding, or planeing.
- Do not machine sand or grind nor conduct abrasive blasting unless using a HEPA filter exhaust control with the tools.
- Do not use a torch (or open-flame burning) or a high temperature heat gun to remove paint, coatings, or glazing compound.
- Do not smoke, eat, or drink while working with lead-paint.
- Do not allow children or pets in the work area until you have finished and the area is thoroughly cleaned.
- Do not cut lead-painted materials (door jambs, windows, etc...) inside of a house or apartment, unless it will be adequately contained.
- Do not track leaded dust from the work area to other areas.
- Do not use reusable painter's tarps or drop cloths.
- Do not leave anything for the occupant to clean up. Do not use the occupants broom, dustpan, or vacuum in cleaning up.
- Do not take lead home on your clothes, shoes, tools, or vehicles.

Things to Practice

- ✓ Complete a visual inspection during the project estimation
- ✓ Always use lead-safe work practices when disturbing lead-based paint or presumed lead-based paint (pre-1978).
- ✓ Confine dust and debris by the use of proper containment barriers and work zone signs.
- ✓ Use disposable 6-mil polyethylene (poly) sheeting under all work areas.
- ✓ Work wet when sanding, scraping or planing.
- ✓ Wear shoe/boot covers. Remember to remove them or wipe them when stepping off of the poly.

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- ✓ Clean the work area as often as possible to minimize the accumulation of dust and debris.
- ✓ Use an adequate lead cleaning solutions or disposable wipe to clean work area.
- ✓ If dust lead hazards are observed in the work area, then ensure that necessary containment and protective barriers are in place.
- ✓ Remove visible paint chips and dust at areas where paint disturbing activities were performed daily and at the completion of all weatherization activities.
- ✓ Dispose of lead waste in 6-mil poly trash bags.
- ✓ Use a HEPA vacuum to clean the work area daily and at the completion of all weatherization activities.
- ✓ Wash or wipe down the work area with a detergent solution.
- ✓ Use HEPA attachments on tools that generate dust.
- ✓ A hand wash station must be provided for workers.
- ✓ Wash hands and face before eating, drinking, or engaging in any activity that will bring your hands in contact with your mouth.
- ✓ Change work clothes and shoes; wash tools; wash exposed areas of your body before going home.

General Setup and Containment

- ✓ Place barriers between the work area and non-work area. Use 6-mil poly sheeting as a ground cover.
- ✓ Remove drapes, furniture, curtains, rugs, and other personal items within 6 feet of the work area. If items cannot be moved, cover them with poly sheeting or plastic drop clothes.
- ✓ Set up a debris collection system to catch falling debris as you are working.
- ✓ Where possible, set up a lead-safe work area outside of the building to be used for cutting, sanding, re-glazing, etc...

Cleaning and Disposal

- ✓ HEPA vacuum the work area. Start at the highest point and work downward.
- ✓ Remove the 6-mil poly and fold it on itself to keep the debris inside. Tape the sheeting closed.
- ✓ Remove any drop cloths and fold it on itself. Do not shake debris out. Tape the drop cloths and dispose.
- ✓ HEPA vacuum the area under the sheeting and at least two feet beyond it.
- ✓ HEPA vacuum the furniture in the surrounding area.

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- ✓ If the surface is washable, spray/mist a detergent solution and wipe it clean.
- ✓ Carpeted surfaces should be thoroughly cleaned with the HEPA vacuum.
- ✓ Clean all tools.
- ✓ Lead is a hazardous waste and must be properly disposed of. Amounts weighing less than 50 pounds can be taken to a household hazardous waste facility. Check your locality to be certain.

Insurance/Liability

All weatherization service providers must have sufficient insurance that specifically covers a pollution occurrence rider or clause. The cost of such insurance is an allowable DOE expense.

DHCD has obtained lead-based paint liability insurance. This policy provides \$500,000 in coverage and covers all 22 sub-grantees and their contractors.

Client Notice

The Environmental Protection Agency (EPA) requires that this pamphlet, “Protect Your Family from Lead (*pamphlet # EPA 747-K-94-001*)” is given to all clients who occupy pre-1978 housing prior to the receipt of any improvement work. Agencies must also document by means of a signed receipt that the client received this pamphlet.

When the EPA Regulation *does apply*:

The EPA regulation (section 406) only applies to Weatherization work when **all three** of the following conditions are true:

- It is pre-1978 housing, and
- The dwelling has not been certified to be lead-based free, and
- The amount of disturbed lead-based painted surfaces will exceed two square feet per room of interior surfaces or twenty square feet of exterior surface.

When the EPA Regulation *does not apply*:

The EPA rule does not apply to Weatherization work when **any one** of the following three is true:

- It is post-1977 housing, or
- The dwelling has been certified to be lead-based paint free, or

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- The amount of disturbed lead-based painted surfaces will be less than two square feet per room of interior surfaces or twenty square feet of exterior surfaces; however, it is recommended that Weatherization agencies do hand out the booklet in all cases involving pre-1978 housing, since it is excellent outreach material and the work may change after the job has begun, involving more disturbance of painted surfaces than originally anticipated.

Website reference: <http://www.epa.gov/lead/>. Also, call 1-800-424-LEAD.

III.4 Rental Procedures

Virginia ensures that benefits accrue primarily to the eligible clients by the terms of an owner agreement. The tenants are offered a copy of the owner agreement so that they may be generally aware of their rights. Virginia currently ensures that rents will not be raised for a reasonable period of time because of the weatherization work performed. Our owner agreement provides legally binding protection against such increases for the tenants, who are "third party beneficiaries" of the agreement. The term of the agreement (and the protection) may be variable, but cannot be less than one year. We may consider varying the period of protection as a function of percentage of landlord contribution to the total cost of the job. Enforcement of the terms of the owner agreement can be as simple as a call by a local agency to the owner to remind them of the terms of the agreement. If it becomes necessary, the client will be referred to a legal services group who represents low-income clients and will see that the agreement is enforced in the courts. The scope of the work will be limited by the Program's Installation Standards to energy-efficiency and health and safety improvements. Protection from eviction is handled the same way as protection from rent increases.

Multifamily

Virginia has revised the administrative guidelines for multi-family weatherization projects. Subgrantees may develop a basic approval process that meets criteria established by DHCD. This process must be reviewed and approved by DHCD prior to implementation.

Virginia requires financial participation from owners of all multifamily buildings with more than four units. They will be required to provide a cost match of 15% for direct or administrative costs for weatherization related improvements, or essential property repairs, or other energy efficiency activities not addressed by the Virginia WAP. The completion of strictly aesthetic or beautification measures will not be considered as an eligible match activity.

Single-Family

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Owners of single-family rental units and multi-family buildings with four or fewer units are requested to contribute a minimum 15% of material and labor costs. Local WAP administrators will be given flexibility in determining policy to address waivers to this requirement. This policy must be written, approved by the Local Administrator's Board, and submitted to DHCD as part of the management plan. Landlords who are income eligible are automatically exempt from this requirement.

III.5 Program Management

III.5.1 Overview

DHCD falls under the Secretary of Commerce and Trade. The Department has a Director, a Principal Deputy Director and a Deputy Director for each of the Department's four Divisions of: Administration, Community Development, Building and Fire Regulations, and Housing. Organizational Charts for the Divisions are on file with DOE.

The Division of Housing has three units: Housing and Homeless Assistance, Housing Finance, and Housing Preservation. The Weatherization Assistance Program is located in the Housing Preservation Unit. The program is one of approximately fifteen (15) programs administered within the Housing Division. Other programs in the Housing Division assist with multifamily loans, homeownership, lead-based paint control and abatement, homelessness, and special populations such as individuals with AIDS or disabilities.

Three full-time staff and one part-time staff are assigned to the WAP. A small number of other permanent and non-permanent positions provide administrative support, and the amount of DOE funds used to pay the costs associated with these support staff may vary from year-to-year depending on the DOE and LIHEAP allocation.

III.5.2 Administrative Expenditure Limits

Subgrantees with less than \$350,000 in DOE Weatherization funding, may submit a written request for administrative funds in excess of 5%, not to exceed a total of 10%. The actual amount the subgrantee is provided is the lesser of the amount actually spent and the number of units completed times the current percentage approved. DHCD receives 5% of the total grant for administrative purposes.

III.5.3 Monitoring Approach

DHCD has one DOE funded position with responsibility for administrative program management, a second DOE funded full-time position responsible for record keeping and financial technical assistance, and if necessary, assisting with on-site field monitoring, and a third, DOE funded part-time position responsible for field technical monitoring and

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training as well as administrative responsibilities. All positions also have responsibility administering the LIHEAP Weatherization as well. Both field positions will monitor DOE and LIHEAP weatherization jobs.

Several methods, such as subgrantee monitoring visits, monitoring instruments, and written reports will be used to ensure the quality of work and adequate financial management control at the subgrantee level. Each Weatherization subgrantee is expected to receive a minimum of one monitoring visit per year. Additional monitoring may be scheduled if needed, and follow-up visits will be conducted by the monitor to evaluate “re-works” or to resolve any client complaints. DHCD plans to monitor a minimum of 5 jobs (weatherized homes) or 10% of the completed jobs or jobs-in-process, whichever is less. The focus of an individual subgrantee monitoring will depend upon the results of previous monitoring, audits, etc. Site visits include a pre-conference and a post conference with the Executive Director.

Field and financial/administrative monitoring are conducted separately and will include the following areas:

- a. Applications
- b. Program files and records
- c. Outreach
- d. Inventory
- e. Vehicles used in weatherization
- f. Job inspections
- g. Financial records
- h. Subcontracting records
- i. Program compliance

A written monitoring report, summarizing strengths and deficiencies and a suggested or required course of action to correct any deficiencies, is sent to the subgrantee within 30 days after each visit. A subgrantee is given up to 45 days to respond to the report. Failure to do so can result in delay of reimbursement for work performed, or in repeated cases, suspension or termination of the WAP contract.

DHCD staff performs “desk monitoring” of production and financial reports submitted to DHCD. Monitoring includes a review for accuracy and compliance with contractual requirements and federal regulations. Failure to submit accurate reports in a timely manner may result in a withholding of a reimbursement.

DHCD reviews and summarizes, at least annually, the results of subgrantee monitoring reports in order to assess subgrantee needs, strengths, and weaknesses. Annual subgrantee audits, conducted by an independent CPA, are a contractual provision. Audit reviews are performed on an on-going basis.

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DHCD piloted the use of peer (subgrantee) inspections in the 1997 program year and found this process to be beneficial for the grantee and the subgrantees. DHCD continued the peer inspections in the 1998 and 1999 program year, and will potentially continue this process in the upcoming program year. In this arrangement, DHCD reimbursed the subgrantee that inspects weatherized homes completed by the second subgrantee. DHCD is responsible for all compliance issues and reports related to the inspected homes.

III.5.4 Training and Technical Assistance Approach

T/TA funds will be used by DHCD staff to provide statewide training and technical assistance including T/TA visits, training and technical assistance, the sponsoring of a once or twice a year subgrantee Interchange and ad hoc regional roundtable discussions to participate in regional and national training and conferences, and to promote energy conservation education.

Subgrantees will be provided training and technical assistance funding so that they can meet specific, individual needs. The subgrantee activities include costs associated with quality control, training, required contractor licensing and certification.

Beginning with PY 2005, subgrantee expenditure of T/TA funds to pay for in-state and out-of-state conferences, including registration, materials, travel, lodging, per diem, and other associated costs is limited to fifty percent (50%) of the subgrantee's allocation for T/TA.

During PY 2005, subgrantees who maintain an in-house crews were allowed to use up to \$7,000 for T/TA activities; subgrantees who do not maintain an in-house crew are now allowed to use up to \$4,000.

Additional T/TA funds may be made available on a case-by-case basis, in consideration of special or extenuating circumstances.

Grantee T/TA funding will be used to provide on-site financial and programmatic monitoring and training and technical assistance by DHCD staff and for limited peer monitoring arranged by DHCD. Where possible, the Weatherization Program coordinates training and monitoring with DHCD non-WAP programs to encourage resource leveraging, program expansion, and coordination of services for a more complete job.

DHCD will also continue to conduct "interchanges" once or twice each year and ad hoc regional roundtable discussions with WAP subgrantees. These meetings allow agency staff and subgrantees an opportunity to meet face-to-face and address any questions or concerns, plus they provide a forum for subgrantees to provide input for program policy

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and design. The interchange(s) will also be used to facilitate the coordination of WAP and other non-DOE programs—such as Crisis—and staff from the Virginia Department of Social Services are invited to attend as well.

Technical assistance will be provided to local weatherization programs as they are monitored. This assistance occurs during the monitoring process because, as deficiencies are identified, the monitor will explain and show local agency personnel how the deficiencies can be corrected.